

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NURDAN MACGAFFICK,

Plaintiff,

-v-

5:15-CV-0778
(DNH/ATB)

CAROLYN W. COLVIN, as Commissioner
of Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

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TOMASINA DIGRIGOLI, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff Nurdan MacGaffick filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for disability benefits and supplemental security income under the Social Security Act. By Report-Recommendation dated July 28, 2016, the Honorable Andrew T. Baxter, United States Magistrate Judge, recommended

that the Commissioner's decision finding no disability be affirmed. Plaintiff filed timely objections to the Report-Recommendation. See ECF No. 20, 21.


Based upon a de novo determination of the portion of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is ORDERED that:

- (1) the Commissioner's decision is **AFFIRMED**;
- (2) defendant's motion for judgment on the pleadings is **GRANTED**; and
- (3) the complaint is **DISMISSED**.

The Clerk of the Court shall enter judgment and close the case.

IT IS SO ORDERED.


United States District Judge

Dated: September 28, 2016
Utica, New York